

AMENDMENT TO DRAWING

The amendment to drawing consists of five replacement sheets. Each replacement contain one figure. The five replacement sheets are of figure 4, 6, 8, 9, and 12. Description of the changes to the reference characters are described in the section Argument/Remarks.

REMARKS/ARGUMENTS

Claims 7 through 32 and 34 through 36 remain in the application.

Claims 1 through 6 and 33 have been cancelled. The specifications and the drawings have been amended. No new matter has been added. Re-examination and reconsideration of the application as amended are requested.

The examiner has objected to the abstract because it is too long.

Applicant has rewritten the abstract and made it less than a 150 word. Thus applicant believes he has overcome this objection.

The examiner has objected to the drawings because they fail to show every feature of the invention specified in the claims. The examiner goes on to say that the embodiment with a single closure flap as claimed in claims 1-10 must be shown or the claims must be canceled. The applicant has amended claim 1. In claim 1 applicant has changed the word "flap" to "flaps" and has rewritten the element as follows:

~~a flap~~ flaps, each with four edges attaches to the front of the piece of fabric and in which one of ~~the each~~ flap's flaps' edges attaches to one of the sides of the piece of fabric and ~~the each of the flap's flaps'~~ other three edges are releasably attached to the piece of ~~fabric's~~

fabric and when all ~~three~~ of the releasably attached edges are attached an enclosed ~~bag~~ is bags are formed which can be packed with clothing and other articles and rolled up; and,

Basis for this amendment is found in the specifications on page 5 line 16 through page 6 line 20. Claims 2 through 10 are dependent on this element of claim 1. Applicant believes he has overcome this objection.

The examiner goes on to state that the drawings fail to comply with 37 1.84(p)(4) because reference character 94 designate both the D ring and the J grove, 72 identify different species of grommet, and 76 identify different species of pin. Applicant has made the D ring 94 and the j grove 95, he had identify different species of grommet as 72 and 72' and has identify different species of pin as 76, 76', 76" on both the drawings and in the specifications. No new matter has been added. Application believes he has overcome this objection.

The examiner has further objected to the drawings in that there is no pin 80 in figure 9 and that the D ring and the j grove have the same number. As put forth above the D ring is now 94 and the j grove is 95 in both the drawings and the specifications. Applicant has also amended figure 9 and the specifications to make the pin 76'. Application believes he has overcome this objection.

The examiner has rejected claims 7-9 and 17-19 under 35 USC 112, second paragraph, as being indefinite. The examiner states the limitation "said outer flap" in line 4 has insufficient antecedent basis. Applicant has amended claims 7-9 and 17-19 replacing the words "said outer flap" with the words "said saw tooth flaps." Antecedent for "saw tooth flaps" comes earlier in the element. Applicant believes he has overcome this rejection.

The examiner has rejected claims 1-5 under 35 USC 103(a) as being unpatentable over Bohn in view of Boorady. Applicant has amended claim

1. Claim 1. Claim 1 now reads as follows:

2. (Currently amended) Rollup luggage comprising:

- a. a piece of fabric with a front and a back and having two sides, a top and a bottom; and,
- b. ~~a flap~~ flaps, each with four edges attaches to the front of the piece of fabric and in which one of ~~the~~ each flap's flaps' edges attaches to one of the sides of the piece of fabric and ~~the each of the flap's flaps'~~ other ~~three~~ edges are releasably attached to the piece of ~~fabrie's~~ fabric and when all ~~three~~ of the releasably attached edges are attached an enclosed ~~bag is~~ bags are formed which can be packed with clothing and other articles and rolled up; and,
- c. ~~a means to hold the bag in a tight roll. a container~~ with two ends attached to the bottom of the piece of material and said bag can be rolled up around said container; and,
- d. two saw tooth flaps attached to opposing sides of the piece of fabric and extend outward from the piece of fabric and said saw tooth flaps have a saw tooth shape; and,
- e. a set of openings on the outer edge of the saw tooth flaps; and,

- f. a pin attached to both ends of the container and when the bag is rolled up the openings in the saw tooth flaps fit over the pins; and,
- g. a means for holding the saw tooth flaps on the pin securely when the bag is rolled up; and
- h. whereas when the bag is rolled up and the openings in the outer flaps are placed over the pins attach to the container and the means for holding the saw tooth flaps on the pins securely is engaged thus closing the sides of the bag.

Element c is the limitation from Claim 2 of the original patent. Basis for elements d, e, f, g, and h are found in the specifications on page 9 line 6 through page 10 line 2. The claim now calls for saw tooth flaps with opening and said opening fit over a pin when the bag is rolled up thus closing the side of the bag. Neither Bohn or Boorady have this type of closure method. Thus claim 1 as now amended is patentable over Bohn and Boorady take separately or together.

Claim 2 has been canceled. Claims 3 through 5 are dependant on claim 1 and thus the same argument that applies to claim 1 applies to claims 3 through 5. Thus claims 3 through 5 are patentable over Bohn and Boorady.

The examiner has rejected claims 11-15 under 35 USC 103(a) as being unpatentable over Bohn in view of Bomes. Applicant has amended claim 11. Element d through h have been added. They read as follows:

- d. ~~a means to hold the bag in a tight roll~~ a container with two ends attached to the bottom of the piece of material and said bag can be rolled up around said container; and,
- e. two saw tooth flaps attached to opposing sides of the piece of fabric and extend outward from the piece of fabric and said saw tooth flaps have a saw tooth shape; and,
- f. a set of openings on the outer edge of the saw tooth flaps; and,
- g. a pin attached to both ends of the container and when the bag is rolled up the openings in the saw tooth flaps fit over the pins; and,
- h. a means for holding the saw tooth flaps on the pin securely when the bag is rolled up; and
- i. whereas when the bag is rolled up and the openings in the outer flaps are placed over the pins attach to the container and the means for holding the saw tooth flaps on the pins securely is engaged thus closing the sides of the bag.

Element d is the limitation from Claim 2 of the original patent. Basis for elements e, f, g, h, and I are found in the specifications on page 9 line 6 through page 10 line 2. The claim now calls for saw tooth flaps with opening and said opening fit over a pin when the bag is rolled up thus closing the side of the bag. Neither Bohn or Boorady have pins, saw tooth flaps or this type of closure method. Thus claim 11 as now amended is patentable over Bohn and Boorady taken separately or together.

Claim 12 has been canceled. Claims 13 through 15 are dependant on claim 11 and thus the same argument that applies to claim 11 applies to

claims 13 through 15. Thus claims 3 through 5 are patentable over Bohn and Boorady.

The examiner has rejected claims 6 and 16 under 35 USC 103(a) as being unpatentable over Bohn in view of Bomes and Buxton. Applicant has canceled claims 6 and 16.


The examiner has rejected claims 10 and 20 under 35 USC 103(a) as being unpatentable over Bohn in view of Boorady and Brockway. Claim 10 is dependant on claim 1 and thus the same argument that applies to claim 1 applies to claim 10 as to Bohn and Boorady. Brockway also does not show saw tooth flaps with opening and said opening fit over a pin when the bag is rolled up thus closing the side of the bag. Thus claim 1 and therefore claim 10 is patentable over Bohn, Boorady and Brockway taken singularly or in combination. Claim 20 is dependant on claim 11 and thus the same argument that applies to claim 11 applies to claim 20 as to Bohn and Boorady. Brockway also does not show saw tooth flaps with opening and said opening fit over a pin when the bag is rolled up thus closing the side of the bag. Thus claim 11 and therefore claim 20 is patentable over Bohn, Boorady and Brockway taken singularly or in combination.

The examiner states that claims 7-9 and 17-19 would be allowable if rewritten to overcome the 35 USC 112 rejection and include all of the

limitation of the base claims. Applicant has amended claims 7-9 and 17-19 to overcome 35 USC 112 rejection as put forth above. Applicant has made claims 7-9 dependant on claim 1 and claims 17-19 dependant on claim 11. Applicant believes that claims 1 and 11 are patentable over all prior art. Claims 1 and 11 contain all of the base claims of claims 7-9 and 17-19 of the original patent.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the rejection and objections is requested. Allowance of claims 1 through 17 at an early date is solicited.

Respectfully submitted,



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